## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE AT NASHVILLE

ANDY L. ALLMAN,	)
	)
Petitioner,	)
	)
<b>v.</b>	) Civil Action No. 3:21-cv-00267
SONNY WEATHERFORD and	) District Judge Trauger
HERBERT H. SLATERY, III,	) Mag. Judge Frensley
Dagmandanta	)
Respondents.	)

## RESPONDENT SONNY WEATHERFORD'S MOTION TO DISMISS AMENDED PETITION FOR WRIT OF HABEAS CORPUS

Comes now Respondent, Sumner County Sheriff Sonny Weatherford ("Respondent Weatherford"), by counsel, and for his Motion to Dismiss Amended Petition for Writ of Habeas Corpus and Immediate Relief Pursuant to 28 U.S.C. § 2241, states as follows:

Petitioner is a pre-trial detainee housed in the Sumner County Jail on charges of theft, falsely representing himself as an attorney, and practicing law without a license. *See* Sumner County Inline Court Records System (sumner.tncrtinfo.com). Accordingly, pursuant to state law, he is in the physical control of Respondent Weatherford.

During his incarceration, the Petitioner filed many motions. These motions challenged his bond amount and, among other things, requested release on his own recognizance. These motions were denied, so on March 21, 2021, Petitioner filed a habeas corpus Petition under 28 U.S.C. § 2241 in which he challenges his pretrial detainment. On April 8, 2021, he filed the current Amended Petition requesting the same relief. On May 19, 2021, the Court entered an order in

which it served the Amended Petition on the Respondents and requested they file a response to the Amended Petition.<sup>1</sup> (Docket Entry No. 13).

As explained more thoroughly in the contemporaneously filed Memorandum in Support, the Petitioner failed to exhaust all administrative remedies. For that reason, the Amended Petition should be dismissed.

Therefore, Respondent Weatherford respectfully asks this Honorable Court to dismiss the Amended Petition, with prejudice.

## Respectfully submitted:

/s/ Thomas B. Russell

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<sup>&</sup>lt;sup>1</sup> On June 3, 2021, the Attorney General filed a Motion to Dismiss. (Docket Entry No. 20).

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 9<sup>th</sup> day of June, 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular mail. Parties may access this filing through the Court's electronic filing system.

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